

REMARKS/ARGUMENTS

Applicants amended claim 17 to change the dependency to claim 16 to overcome the rejection on lack of antecedent basis grounds (35 U.S.C. §112, par. 2).

1. Pending Claims 1, 2, 4, 9, 10, 18 21, 22, 24, 29, 30, 39, 40, 42, 47, and 48
are Patentable Over the Cited Art

The Examiner rejected claims 1-4, 9, 10, and 18 as anticipated (35 U.S.C. §102(b)) by the "Web Robots" reference ("A Method for Web Robots Control", Internet Draft by Network Working Group. Applicants traverse.

Amended claim 1 recites a method for searching data repositories managed by different content provider providers to gather indexable metadata on content at addresses locations at the data repository repositories. The claim requires: accessing customizable settings capable of being customized by the content provider, wherein the customizable settings provide an address of at least one content page in the data repository and a parameter for the address locations; accessing the content page at the addressable location at the content provider's data repository indicated in the customizable settings; processing the accessed content page using the parameter provided for the addressable location of the accessed content page to generate output information; and generating metadata indicating the generated output information for the accessed content page to add to an index of metadata for accessed addressable locations at the data repository, wherein customizable settings from the different content providers are accessed to generate the metadata for the accessed content pages, and wherein the index of metadata includes metadata on content from the data repositories of the different content providers.

Applicants amended claim 1 to add the requirement that the customizable settings include an address of at least one content page and a parameter for the address location, and that the page at the addressable location is accessed and processed using the parameter to generate output information that is indicated in the metadata. Claim 1 was further amended to require that customizable settings from the different content providers are accessed to generate the metadata for the accessed content pages, and wherein the index of metadata includes metadata on content from the data repositories of the different content providers.

The Examiner cited pages 2-3 of "Web Robots" as teaching the requirements of claim 1. (Office Action, pg. 3) Applicants traverse with respect to amended claim 1.

The cited pages 2-3 discuss how web site administrators may indicate to visiting robots which parts of the site should be avoided. The web robots consult this information to determine whether they may access the URLs on the site.

The cited "Web Robots" does not disclose accessing a content page at an addressable location and processing the content page using a parameter provided by the content provider in the customizable settings to generate output information that is indicated in the metadata. Nowhere does the cited "Web Robots" anywhere disclose that the content provider provide a parameter that is used to generate output information for an accessed page. Instead, the cited "Web Robots" only discusses how the web site may provide instructions indicating which web pages are not accessible to the robot. Nowhere is there any disclosure of providing parameters to use after accessing and processing a content page to generate output information indicated in the metadata.

Accordingly, amended claim 1 is patentable over the cited "Web Robots", which fails to disclose all the requirements of the amended claim 1.

Claims 2, 4, 9, 10, and 18 are patentable over the cited art because they depend from claim 1, which is patentable over the cited art for the reasons discussed above. Moreover, the following dependent claims provide additional grounds of patentability over the cited "Web Robots".

Claim 2 depends from claim 1 and further requires wherein the customized settings include parameters and access methods unique to an arrangement of content in the content provider's data repository, wherein the access methods process the accessed content page using the parameter.

Applicants amended claim 2, 22, and 40 to add the requirement that the access methods process the accessed content page using the parameter.

The Examiner cited pg. 4, pars. 3-5 of "Web Robots" as disclosing the additional requirements of claim 2. (Office Action, pg. 3) Applicants traverse.

The cited pg. 4 discusses how the instructions indicate URLs that the web robot is allowed and disallowed to access. Nowhere does the cited pg. 4 anywhere disclose that the

customized settings, or instructions, indicate an access method using a parameter to access the content page. The claims require that the customized settings or instructions provide access methods and parameters for the access methods to use when processing an accessed page. The cited pg. 4 only provides instructions on which pages the web robot may and may not access, not access methods for processing pages once they are accessed as claimed.

Accordingly, claim 2 provides additional grounds of patentability over the cited art.

Amended claim 9 recites that the parameters in the accessed customizable settings further include a recursive search setting indicating whether to search hypertext links to linked addressable locations included in the accessed content page. A content page is accessed at each linked addressable location included if the recursive search setting indicates to recursively search linked addressable locations, wherein metadata is generated for each content page recursively accessed at the linked addressable locations in the accessed content page.

Claim 9, 29, and 47 were amended to recite that the parameters include the recursive search setting.

The Examiner found that pg. 2, pars. 2-3 of "Web Robots" discloses the additional requirements of claim 9. (Office Action, pg. 4) Applicants traverse.

The cited pg. 2 discusses how a web robot recursively retrieves documents that are referenced. Although the cited pg. 2 discusses how a web robot performs recursive searches, nowhere does the cited pg. 2 anywhere disclose that the customizable settings of the content provider include a recursive search setting indicating whether to search hypertext links at an addressable location. Thus, nowhere does the cited pg. 2 provide a setting to allow the content provider to controller whether the program will recursively search the site.

Accordingly, claim 9 provides additional grounds of patentability over the cited art.

The Examiner also rejected claims 21-24, 29, 30, 38-42, 47, 48, and 56 as anticipated by "Web Robots". (Office Action, pgs. 4-6)

Pending claim sets 21, 22, 24, 29, 30 and 39, 40, 42, 47, and 48 substantially include the requirements of amended claims 1, 2, 4, 9, and 10, and thus are patentable over the cited art for the reasons discussed with respect to claims 1, 2, 4, 9, and 10. Claims 38 and 56 are patentable over the cited art because they depend from independent claims 21 and 39, which are patentable over the cited art.

2. Claims 5-8, 25-28, and 42-46 are Patentable Over the Cited Art

The Examiner rejected claims 5-8, 25-28, and 42-46 as obvious (35 U.S.C. §103) over "Web Robots" and Stewart (U.S. Patent No. 5,715,453). Applicants traverse.

Claims 5-8, 25-28, and 42-46 are patentable over the cited art because they depend from one of claims 1, 21, and 39, which are patentable over the cited art for the reasons discussed above. Moreover, certain of these claims provide additional grounds of patentability over the cited art for the reasons discussed below.

Claim 5 depends from claim 1 and further requires that the parameters in the accessed customizable settings comprise query terms for at least one included addressable location. These claims further require that for each provided addressable location for which there are query terms, using the provided query terms at the provided addressable location to obtain query results. Metadata is generated from the obtained query results to add to the index of metadata for accessed addressable locations at the data repository.

Applicants amended claims 5, 25, and 43 to clarify that the parameters in the customizable settings comprise query terms.

The Examiner cited col. 2, lines 1-4 and 7-21 and col. 6, lines 66-67 of Stewart as teaching the claim requirements related to the query terms. (Office Action, pg. 8) Applicants traverse.

The cited col. 2 of Stewart discusses a configuration file that instructs a processor on how to handle incoming queries to dynamic data sources, such as determining how to process a query within a web page.

Applicants submit that although Stewart discusses how to handle an incoming query to a web site, nowhere does the cited Stewart anywhere teach or suggest content provider customizable settings including a query term parameter that is used at an addressable location. Instead, the cited Stewart discusses how to handle an incoming query, not the claim requirement of query terms to use against an addressable location indicated in the customizable settings to obtain query results .

Applicants further submit that it is inappropriate to modify "Web Robots" with the teachings of Stewart. Stewart concerns how to handle incoming queries at a web site, whereas "Web Robots" discusses web robots that search web pages to generate information on the pages.

Nowhere is there any suggestion in the cited Stewart or "Web Robots" to make the configuration file of Stewart available to web robots to perform the claim requirement of generating an index of metadata including metadata from data repositories from different content providers. Instead, Stewart concerns how to handle queries at a web site, not gathering metadata for data repositories from different content providers.

According to the Manual of Patent Examination and Procedure (MPEP), the "mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." (MPEP Sec., 2143.01, pg. 2100-126, Rev. 1, Feb. 2003). Here, neither of the cited references suggest providing customizable settings used to process accessed content at a data repository when generating an index of metadata for data repositories from different content providers. Thus, the examiner is proposing a modification of "Web Robots" to use query terms as discussed in Stewart that is nowhere taught or suggested in any of the cited references.

Moreover, even if one were to modify "Web Robots" to use query terms as discussed in Stewart, nowhere is there any teaching or suggestion that the query terms be included in customizable settings customized by the content provider as claimed.

Accordingly, claim 5 provides additional grounds of patentability over the cited art.

Claims 6 and 7 depend from claim 5 and provide further details on the query operation. Thus, claims 6 and 7 are patentable over the cited art because they depend from claims 1 and 5, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims provide further grounds of distinction over the cited art.

Amended claim 8 depends from claim 1 and further requires that the parameters in the accessed customizable settings further include a password for at least one provided addressable location and use the provided password to access the content page at the indicated addressable location for which the password is provided.

Applicants amended claims 8, 28, and 46 to clarify that the parameters in the accessed customizable settings include the password.

The Examiner cited col. 2, lines 7-21 of Stewart as teaching the additional requirements of claim 8. (Office Action, pg. 9) Applicants traverse.

The cited col. 2 discusses a configuration file used to determine how to handle incoming queries. Nowhere in the cited col. 2 is there any teaching, suggestion or mention of parameters in customizable settings providing a password used to access the content page as claimed.

Accordingly, claim 8 provides additional grounds of patentability over the cited art.

The Examiner rejected dependent claims 25-28 and 42-46, which substantially include the requirements of claims 5-8 in system and program form, for the same reasons discussed with respect to claims 5-8. (Office Action, pgs. 13-14) Applicants submit that claims 25-28 and 42-46 provide additional grounds of patentability over the cited art for the reasons discussed with respect to claims 5-8.

3. Claims 11-14, 31-34, and 48-52 are Patentable Over the Cited Art

The Examiner rejected claims 11-14, 31-34, and 48-52 as obvious (35 U.S.C. §103) over "Web Robots" and Stewart (U.S. Patent No. 5,715,453). Applicants traverse.

Claims 11-14, 31-34, and 48-52 are patentable over the cited art because they depend from one of claims 1, 21, and 39, which are patentable over the cited art for the reasons discussed above. Moreover, certain of these claims provide additional grounds of patentability over the cited art for the reasons discussed below.

Claim 11 depends from claim 1 and further requires that the accessed customizable settings further indicate validation checking programs. The claim further requires: executing each validation checking program indicated in the accessed customizable settings against each accessed content page; generating a validation output result with the validation checking program for each accessed content page with each validation checking program describing characteristics of the content page; generating metadata from the validation output result to add to the index of metadata for accessed addressable locations at the data repository.

The Examiner cited col. 2, lines 23-26 of Welter as teaching the requirement that the accessed customizable settings further indicate validation checking programs. (Office Action, pg. 9). The cited col. 2 discusses a method for testing a web site in accordance with a test configuration file that initiates HTTP communication. Nowhere does the cited col. 2 anywhere teach or suggest customizable settings indicating a validation checking program. Instead, the cited Stewart discusses a test configuration file having inquiries for a web site. Moreover,

nowhere does the cited col. 2 discuss that the test configuration file indicate validation checking programs that are executed. Instead, the cited col. 2 mentions the test configuration file includes test inquiries.

Applicants further submit that it is inappropriate to modify "Web Robots" with the teachings of Welter. Welter concerns how to use a test configuration file including inquiries to test a web site and generate results stored in a database, whereas "Web Robots" discusses web robots that search web pages from different content providers to generate information on the pages. Nowhere is there any suggestion in the cited Welter to make the test configuration file available to web robots to perform the claim requirement of generating an index of metadata including metadata from data repositories from different content providers. Instead, Welter concerns how to test a web site, not the claim requirement gathering metadata for data repositories from different content providers as claimed.

As discussed, the MPEP provides that the "mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." Here, neither of the cited references suggest providing customizable settings used to process accessed content at a data repository when generating an index of metadata for data repositories from different content providers. Thus, the examiner is proposing a modification of "Web Robots" to use validation checking programs that is nowhere taught or suggested in any of the cited references.

Accordingly, claim 11 provides additional grounds of patentability over the cited art.

Claims 12-14 depend from claim 11 and provide further details on the validation checking operation. Thus, claims 12-14 are patentable over the cited art because they depend from claims 1 and 11, which are patentable over the cited art for the reasons discussed above, and because the additional requirements of these claims provide further grounds of distinction over the cited art.

The Examiner rejected dependent claims 31-34 and 49-52, which substantially include the requirements of claims 11-14 in system and program form, for the same reasons discussed with respect to claims 11-14. (Office Action, pgs. 13-14) Applicants submit that claims 31-34 and 49-52 provide additional grounds of patentability over the cited art for the reasons discussed with respect to claims 11-14.

4. Claims 15-20, 35-38, and 53-56 are Patentable Over the Cited Art

Dependent claims 15-20, 35-38, and 53-56 are patentable over the cited art because they depend from one of claims 1, 21, and 39, which are patentable over the cited art for the reasons discussed above and because the dependent limitations of these claims in combination with the base and any intervening claims provide further grounds of distinction over the cited art.

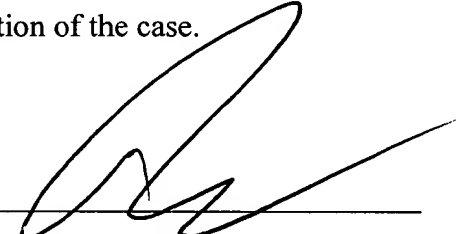
Conclusion

For all the above reasons, Applicant submits that the pending claims 1-22, 24-40, and 42-57 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 50-0585.

The attorney of record invites the Examiner to contact him at (310) 553-7977 if the Examiner believes such contact would advance the prosecution of the case.

Dated: December 17, 2003

By: _____


David W. Victor
Registration No. 39,867

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984